

Hon'ble Chief Justice of Karnataka High Court made an in-depth study and came to the conclusion that "it is neither desirable nor feasible to establish a Bench of the High Court at Hubli-Dharwad as proposed by the Government of Karnataka." After the views of the High Court were communicated to the Hon'ble Chief Minister, he addressed a letter to the then Hon'ble Chief Justice on 20.06.2000 requesting the latter as an alternative to recommend for the sitting of the High Court Bench in Circuit at Hubli-Dharwad till a permanent Bench is established. The then Acting Chief Justice sent a reply on 09.10.2000 stating that the reasons which weighed with the High Court against establishment of a Bench at Hubli-Dharwad would hold good in regard to establishment of a Circuit Bench as well.

Setting up of In-House Dispute Settlement Forums

2457. SHRI SANJAY NIRUPAM: Will the Minister of LAW, JUSTICE & COMPANY AFFAIRS be pleased to state:

(a) whether Government, Public Sector Undertakings and Banks have not yet set up in-house dispute settlement forums as directed by the Supreme Court long back and cases continue to be filed in the Courts and the cases are piling up;

(b) if so, the reasons therefor and by when will such forums be set up to reduce court cases;

(c) whether appeals against the lower courts continue to be filed in higher courts as a matter of routine even where there is no point of law involved; and

(d) what action Government propose to take to check this tendency and to deal sternly with officials responsible for this?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI ARUN JAITLEY): (a) and (b) The Government has set up a High Power Committee consisting of Cabinet Secretary, Secretary, Department of Industrial Development, Secretary, Department of Public Enterprises, Secretary, Department of Legal Affairs; Finance Secretary and Secretary of the concerned Department to ensure that no litigation reaches the Court or a Tribunal without the matter having been first examined by the

Committee. Apart from this, the Government has set up a Permanent Machinery of Arbitration in the Department of Public Enterprises to settle all commercial disputes between the Public Sector Enterprises in terse as well as between a Public Sector Enterprise and a Government Department.

(c) and (d) Appeals are filed by the Government Departments after obtaining legal opinion from the Department of Legal Affairs. Special Leave Petitions before the Supreme Court are filed only after obtaining the opinion of Law Officers viz. Attorney General, Solicitor General, Additional Solicitor General.

News-Item "Supreme Court offered method to speed up trial"

2458. PROF. M. SANKARALINGAM: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Government's attention has been drawn to the news-item "the Supreme Court offered method to speed up trial" which appeared in the Indian Express, dated 23rd February, 2001;

(b) if so, what are the comments of Government; and

(c) how Government propose to reduce the time taken to dispose of a particular case or trial?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI ARUN JAITLEY): (a) and (b) Yes, Sir.

The Government has noted the direction of the Apex Court how to tackle objections raised during recording of evidence and how to expedite implementation of orders of the trial courts.

(c) The Government can not single out a case or trial to reduce the time taken as it relates to substantive judicial functions of judges. However, both the Government and Judiciary are concerned with the mounting backlog of cases in courts. Government has taken various steps on the suggestions of the Law Commission, Arrears Committee etc. to reduce the time taken in disposal of cases or trials. The Government has also proposed amendments in procedural laws including the Code of Criminal Procedure, 1973, for speedy disposal of cases.